

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

STERLING AND WILSON SOLAR)	
SOLUTIONS INC.,)	
)	
Plaintiff,)	Case No. 3:23-cv-01110-MEM
v.)	(Mannion, Judge)
)	
BANK OF AMERICA, N.A.,)	
)	
Defendant.)	

TEMPORARY RESTRAINING ORDER

AND NOW, this ____ day of July, 2023, upon consideration of the Motion for Temporary Restraining Order and Preliminary Injunction, Declarations, exhibits, and supporting brief filed by plaintiff Sterling and Wilson Solar Solutions Inc. (“Sterling”) against defendant Bank of America, N.A. (“BANA”), and any response thereto, IT IS HEREBY ORDERED AND DECREED that the Motion is GRANTED.

It is further ORDERED and DECREED that:

1. BANA show cause before this Court, at Room _____, William J. Nealon Federal Building and United States Courthouse, 235 N. Washington Avenue, in Scranton, Pennsylvania, on _____, at _____, or as soon thereafter as counsel may be heard, why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining BANA during the pendency of this action from making payment under the letter of credit no.

68176052 issued by BANA pursuant to the request of plaintiff Sterling, as applicant, in the amount of \$24.34 million, in connection with Sterling's provision of services under an Engineering, Procurement and Construction Agreement entered into by and between Sterling and Montague Solar, LLC;

2. Sufficient reason having been shown therefor, pending the hearing of Sterling's application for a preliminary injunction, pursuant to Rule 65 of the Federal Rules of Civil Procedure, BANA is temporarily restrained and enjoined from making any payment under Bank of America letter of credit no. 68176052; and

3. Personal service of a copy of this order and annexed papers upon BANA or its counsel on or before _____ on July _____, 2023 shall be deemed good and sufficient service thereof.

BY THE COURT:

J.